

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

ATLANTIC RECORDING)	
CORPORATION, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case No.:
v.)	
)	1:17-CV-0431-AT
SPINRILLA, LLC, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

MOTION TO STAY PENDING RULING
ON DEFENDANTS' MOTION FOR SANCTIONS

Defendants file this Motion to Stay and state as follows:

I. Introduction

Defendants respectfully move the Court to stay the briefing on Plaintiffs' Motion to Strike, which Plaintiffs filed on March 8. (Dkts. 187-189).

II. Procedural Background

On March 10, the Court stayed the deadlines for the Parties to file motions for summary judgment until after the Court rules on Defendants' Motion for Sanctions. (Order, dated March 10, 2018 (Dkt. 186)). But Defendants had filed their First Motion for Summary Judgment prior to March 10. (Dkts. 173 to 173-2). That Motion was fully briefed when, on March 8, Plaintiffs filed another motion and brief in connection with Defendants' First Motion for Summary Judgment. (Dkts. 187-189).

Specifically, Plaintiffs asked the Court to strike Defendants' Reply Brief in Further Support of their First Motion for Summary Judgment and asked for leave to file a sur-reply. (Dkts. 187-189).

III. Argument

Defendants are under the impression the Court stayed the filing of summary judgment motions because its forthcoming ruling on Defendants' Motion for Sanctions could impact the issue in the Parties' summary judgment motions. If this is correct, the Court's ruling on Defendants' Motion for Sanctions may also impact Spinrilla's First Motion for Summary Judgment (Dkts. 173 to 173-2), which, again, Spinrilla filed before the Court stayed the deadline for filing motions for summary judgment. In other words, the Court's ruling on Defendants' Motion for Sanctions, could also impact the need for and scope of additional briefing in connection with Defendants' First Motion for Summary Judgment.

V. Conclusion

For these reasons, Defendants request that any additional briefing in connection with their First Motion for Summary Judgment also be stayed until after the Court rules on Defendants' Motion for Sanctions. The requested stay would specifically include suspending the deadline for Defendants to respond to Plaintiffs' Motion to Strike. (Dkts. 187-189).

A proposed order is attached hereto as Exhibit A.

Respectfully submitted this 14th day of March, 2018.

LILENFELD PC

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